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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAYCOB TYLER KUTZERA,

Defendant.

Case No. CR-17-48-GF-BMM

**UNOPPOSED MOTION FOR
DEFENDANT TO APPEAR
TELEPHONICALLY**

COMES NOW, Defendant Jaycob Tyler Kutzera, by and through his Counsel Evangelo Arvanetes, Assistant Federal Defender, and the Federal Defenders of Montana, and respectfully moves the Court for an order allowing him, Jaycob Tyler Kutzera to testify telephonically at the Motion Hearing scheduled for Wednesday, December 13, 2017, at 2:30 p.m., in Great Falls, Montana.

Mr. Kutzera is currently monitored by United States Probation on pre-trial

release from California.

Mr. Kutzera has requested from the undersigned after the time the hearing was set that it would be financially difficult for him to come to Great Falls, Montana, for the motion hearing.

The undersigned requested the position of Assistant United States Attorney Cyndee Peterson, and she has informed the undersigned that she has no objection to allow Mr. Kutzera to appear by video for the motion hearing.

Mr. Kutzera has notified the undersigned that the nearest federal courthouse is in Riverside, California. The address is as follows: United States District Court, 2470 12th Street, Riverside, California. Phone number is: 951.328.4450,

On Monday, December 11, 2017, this Court entered an Order granting Mr. Kutzera's request to appear via video. (Doc 29).

The undersigned and his defense team contacted the Central District of California Court located in Riverside California, but were advised that the video equipment is not available at the date and time requested.

The Undersigned respectfully requests that the Defendant, Mr. Kutzera be allowed to appear telephonically at the hearing scheduled for Wednesday, December 13, 2017, at 2:30 p.m.

Counsel for the Government, Cyndee Peterson has been contacted and has no

objection to the Defendant appearing telephonically at this hearing.

RESPECTFULLY SUBMITTED this 12th day of December, 2017.

/s/ Evangelo Arvanetes

**CERTIFICATE OF SERVICE
L.R. 5.2(b)**

I hereby certify that on December 12, 2017, a copy of the foregoing document was served on the following persons by the following means:

- 1, 2 CM-ECF
 Hand Delivery
3 Mail
 Overnight Delivery Service
 Fax
 E-Mail

1. CLERK, UNITED STATES DISTRICT COURT
2. CYNDEE L. PETERSON
Assistant United States Attorney
United States Attorney's Office
Counsel for the United States of America
3. JAYCOB TYLER KUTZERA
Defendant

/s/ Evangelo Arvanetes